COL. FELLOWS VINDICATED.

Gov. Flower Dismisses All the Charges Brought Against Him.

SEES NO NEGLECT OF DUTY.

On the Contrary, the Evidence Shows that the District-Attorney Is Diligent.

"MORE COURTS ARE NEEDED."

An Extraordinary Session of Oyer and Terminer to Be Called for That Purpose.

dismissed the charges against John R. Fellows. In the dismissal he says:

The charges preferred in the above entitled matters have been referred to a Commissioner pursiant to the provisions of the Public Officers law, and he has reported to me the facts which he deems established, together with the evidence.

It is clear to me that the important charge that the District-Attorney has neglected his duty in not bringing indicted persons to trial, is not only wholly unproved, but it is actually disproved by the evidence.

All the year, with the exception of July and August, three parts of the Court of General Sessions sit for the trial of cases. In those months two parts are assigned and sometimes both are held, sometimes only one, There is no provision for a fourth part, even if it were physically possible, or wise for a ludge to sit continuously. This in-ALBANY, Dec. 22.-Gov. Flower has

how the

parently uncollected and unaccounter

My attention has been called to a single ase—that of Thomas Lawson, Thomas larey, surety—where the surety was a

at of Thomas Lawson, Thursday, where the surety of the city of Brooklyn

When she became Miss, she clung to Castoria,

it were physically possible, or wise for judge to sit continuously. This judicial force receives assistance at times

from an Oyer and Terminer.

These courts are and have been throughout the whole of the present year furnished with sufficient business to keep them steadily at work. A day calendar occasionally breaks down by reason of an unexpectedly large number of pleas of guilty, but that is not a contingency that can be foreseen nor with ordinary prudence provided against. If the Assistant District-Attorney in charge should provide too many cases, he would be accused and fustiy, with attempting to do too much, and witnesses would be unreasonably detained and annoyed.

If calendars seem too small and sufficient work is not provided, doubtless a remonstrance from the Court would procure the desired result, but no such remonstrances appears to have been made. The magnitude of the work done by the courts mentioned, put and kept in motion, of course, by the District-Attorney to bid in behalf of the courts mentioned, put and kept in motion, of course, by the District-Attorney to bid in behalf of the courts mentioned, put and kept in motion, of course, by the District-Attorney to bid in behalf of the courts mentioned, put and kept in motion, of course, by the District-Attorney to bid in behalf of the courts mentioned, put and kept in motion, of course, by the District-Attorney, must be set forth in figures to be appreciated. I quote from the report of the Commissioner:

"Between the first day of January, 1884, and the first day of January, 1884, and the first day of December, 1894, the total number of indictments found by the Grand Jury, County of New York, was 2,994, of which 3,552 were for felony and 42 for misdemeanor. It appears by the record in the office of the Clierk of the General Seasons that the following number of indictments were following number of indictments we

Clerk of the General Sessions that the following number of indictments were Carey, disposed of during the same period, either by judgment of conviction or acquittal or by dismissal. To wit-

gittal or by dismissal. To wit:
"Persons convicted of felony, 389; persons convicted by verdict of misdeseanor, 25; persons acquitted by verdict felony, 361; persons acquitted by verdict of misdeneanor, 8; persons constant of misdeneanor, 8; persons conis convicted by confession of misde-anor, 457 (many of these were indicted felony), persons indicted for fe-on-eharged without trial, 688, persons in-ted for misdemeanor discharged with-t trial, 68; total, 2,113."

alleged as having delayed the trial of Indictments.

In a few cases it is shown that post-ponements of trials have been had at the request of gounsel for the prisoners. Where there have been by the Court on motion, opposed by the District Attorney, of course, that officer is not responsible. Where they have been by consent the prisoner surely cannot be heard to allege that natural or constitutional rights have been violated, and such cases have not been so frequent or flagrant as apparently to have prejudiced the public.

The Commissioner has found, at the request of the complainants, that "the District-Attorney at the time of the appointment of Francis L. Wellman, one of his assistants, agreed with the said Wellman to permit him to attend to his private practice; and said Wellman to he private practice; and said Wellman to he private the said well man to the point of the spirate practice; and said Wellman to his private practice; and said wellman to he pistrict-Attorney's office in the discharge of his private business.

rangement, and as the criminal courts having power to try indictments were worked substantially to their full capacity during all the time to which the charges relate, I fail to find in this arrangement anything which sustains the charges.

It is provided by section 272 of the Code of Criminal Procedure, that:

"An indictment, when found by the Grand Jury, must be presented by their foreman in the presence of the Court, and must be flied with the clerk and flied with the county.

The only measure of relief which the county.

of Criminal Procedure, that:
"An indictment, when found by the Grand Jury, must be presented by their foreman in the presence of the Court, and must be filed with the clerk and remain in his office as a public record, but it must not be shown to any person other than a rankle office, and it must not be shown to any person other than a rankle office, and it must not be shown to any person. peared."
One of the charges against the District-Attorney is that he has been habitually remiss in the observance of this section.
I do not understand that it is claimed

cen a tun, seem of the best of the removal of the District-Attorney.
The charges are, therefore, dismisse ROSWELL P. FLOWER. District-Attorney Fellows received th

possed to be and by the Code of Civil Procedure are required to be filed.

It may well be that the clerks of the criminal courts, correctly assuming the District-Atterney to be, like themselves, parts of the machinery provided for the punishment of public offences, consider themselves justified in transferring the actual possession of indictments to the officers charged with their prosecution, while retaining the legal title to possession and holding themselves in readiness to produce them when lawfully called upon.

However this may be, I do not see how the District-Attorneys can be held culpable because they receive the in-

TO HOLD A SPECIAL TERM.

Justice Williams to Preside at Extraordinary Court Here.

ALBANY, Dec. 22-Gov. Flower has fesignated Justice Pardon C. Williams, of the Supreme Court, to hold Extraordinary Court of Oyer and Terminer, ginning on Monday, Jan. 21, in New York City, to aid in getting the court calendars clear.

The District-Attorney is ordered to as sist in the presenting of cases.

WILL HE REMOVE KELLY?

Against Him. ALBANY, Dec. 22-Gov. Flower has

written his opinion in the matter of the charges against District-Attorney Kelly, of Rensselaer County, but the findings will probably not be given out until Monday
It is believed that the decision is against Kelly, and that the Governor will remove him.

M'CLELLAN HAS A CONTEST.

Cheesebrough Alleges Colonization and Fraud by Tammany Hall. Robert A. Chesebrough has notified

contest his election to Congress from

discharged with-direct of mischemator discharged with-direct of mischemator discharged with-direct mischemator discharged with the complete and discretion as to what cames and the direct mischemator discharged with discovery mischemator discharged with discovery mischemator discharged with discovery mischemator discharged with discovery discharged with discovery mischemator discharged with discovery mischemator discharged with discovery mischemator discovery discover

M. A. Curtis, the actor, in reported to have

Celestials Interred in Jersey City to Be Sent Home.

The Bones Taken from the Coffins and Packed in Excelsior.

It Is Said that They Cannot Rest Peacefully in Foreign Soll.

ibs morning, and the hodges of Celesals which have reposed in graves for years are being taken up and

The resurrectionists are working to n New York Bay Cemetery, in the freenville section. In this home of the dead forty Celestials were buried be-

Yesterday about twenty coffins were aken up, and the remainder are being removed to-day. It is an old story that a Chinaman's

bones never rest easily except on China Before the Chinese leave their country it is an understood thing that they die in another clime, unless it e at sea, their remains will sooner or later be taken back to China to be

half feet long and a foot wide, were a half feet long and a foot wide, were carted to the cemetery yesterday. In the northeastern section of the grounds, close by the tracks of the New Jersey Central Hailroad's main line a tent was erected and the boxes were piled around it. With Chung Wale Kung Sam were two Chinese laborers and an interpreter. Cemetery Superintendent Tilden provided a force of grave-dispers to assist the seekers after bones. Grave after grave was opened by the cemetery men, but under no circumstances would the Chinese allow them to touch the coffins. All they required of the diggers was that they should also down to the coffins. The Chinese laborers did the rest.

After the diggers would expose a

he dissert to the coffins. The Uniness lown to the cest and the rest.

After the diggers would expose a coffin to view one of the Chinese laborers would clamber down on top of the coffin and pry off the cover. A glance at the skeleton within sickened the ordinary spectator, but not so with the Chinese ghouls. The cover of the casket or coffin was tossed above, the plate record of the casket or coffin was tossed above, the plate restricted in the casefully laid on one side. nes, one by one, and threw them in a mmon bag. Not a particle of the relians would be left in the box. In describe of the Chinamen, a particularly suisive-looking fellow, carried the ground the bones thought white mus in on the ground the bones a dead Chinaman were laid out on

the completion of the disinter-resy City will have no dead Chi-thin its borders. The few that seed away in recent years were in Evergreen Cemetery, & Connolly, who is employed in York Bay Cemetery, was con-rannoyed yesterday by the slow-ne Chinese. In conversation with er he blurted out:

NEW YORK GAINS A POINT.

Confession of Judgment \$100,000

Inspectors of Election who performed disarrant aims of the 44 Cross Per Gods

... in Tone. erteet in Workmanship. Largest Assortment, Sold, Rented and Eschanged. Lowest Prices - quality con-Cash and Time Payments. New Uprights from \$450 up. Great Variety of Shightly Used

PIANOS

The improved New York City Exchange Telephone to dispose Service, metallic circuit lines, long-distance equipat rates which bring it within reach of even the most moderate users. The prices per year are as fol-lows:

Combination Line, - - \$80.00 Direct Line, - - - - \$120 00 AND UPWARDS, ACCORDING TO USE. NO EXTRA INSTALLATION CHARGE.

The Metropolitan Telephone and Telegraph Co., 18 Cortlandt Street.

HIS RUDE AWAKENING

a Robber's Grasn.

Made Unconscious by a Heavy Blow with a Hammer.

Aged Peddler's Assallants Caught He May Recover.

Jacob Maccrobie, an aged peddler street late last night to find his throat in the grasp of one man, while another man stood over him with an upraised hammer. The hammer fell, and Macnoved and carefully laid on one side, hammer. The hammer fell, and Mac Sext the man in the grave lifted out the croble sank back on his pillow uncon

In describing the assault to-day Mac croble said it all happened like a flash, and as he became unconscious thought he had had a bad dream.

How long he remained unconscious he has no means of knowing. On recovering consciousness Maccrobie says he found two men, whom he knew

or joints were cleaned.

The cleaning over, the bones were arefully packed in excelsior in one of the small boxes. The plate removed from the old ceffin was tacked on, and he remains of another Chinaman were easily for shipment.

Before nightfall twenty boxes had been before nightfall twenty boxes had been before and the work was resumed early his morning.

A reporter learned from one of the hinamen yesterday that a large number of caskets have already been shipped to him, and he said that about three hunted in all will be sent. For several lays past the party has been at work and in one of the Philadelphia burial resumes. searching the pockets of his clothing.

The police found \$17 in Maccrobie's west pocket, and a beit containing \$400 strapped around his waist. Under the pillow on which he was sleeping, were our cheap sliver watch cases. Barsoum and Abushcara keep a small leweiry store on the ground floor of the house in which Maccrobie lived. They have known the old peddler for some lime, and it is believed knew that he carried a considerable sum of money on his person, but were evidently ignorant rried a considerable sum of money on a person, but were evidently ignorant it Maccroble kept it strapped next to a skin in a stout leather belt. In the Tombs Police Court this morn-

The senset reception of the sid Guard Veleram Lattation, Major Thomas E. Slean, will take the at Madison Square Garden on Wednesday Sunday evening.

R. D. Gras. "Highways and Epways of Europe and America." in the others of Gainte, Sunday extensing at Hardman Haff.

Exhibition of Old Nuremberts at Madison Square Garden. Entertainment all fee, beginning with causes at 10 o'clock in the morant, and controlled a with variety performances and other shows without intermination until 11 at 18236.

Externational templet in Clarendon Mail, head-

EXTRAORDINARY CLOAK SALE HARTMAN CLOAK CO.,

On account of the recent strike we were unable to deliver our orders on time, and dispose of same we will sacrifice our Stock of over 5.000 Strike and Well Stock of LADIES' AND CHILDREN'S

ment, is now offered by us CLOAKS AND FUR GARMENTS

CAMMEYER BUILDING, 310 to 318 Sixth Ave., and Twentleth St. OPEN SATURDAY EVENING UNTIL 11 O'CLOCK.

READY

ON ALL

AN UNRIVALLED

NEWS-STANDS

B.KARSCH,

OVER 25 YEARS.

FOR THE HOLIDAYS

WATCHES,

DIAMONIS,

These tiny Capsules arrest in 48 hours with-out inconvenience, af-fections in which Co-paiba, Cubebs and Injections fail.

Sporting.

from the Testimony.

When Rightly Applied.

These few words will give some idea of the field in which the studious young man hopes to shine, as well as the magnificent contribution the Lexow Committee has succeeded in making to the literature—if the term will stand that much stretching—of the present day.

PIPERAZIN

BICYCLES XMAS PRESENTS High Grade Popumatica, Ball Barings, 121.50.
Also Columbia, Victor, Rambier, Spaiding, Nassau,
Credenda, Raleigh, Liberty, Monarch, Waverly,
12.50 each, 1.500 others to select from; no reasonable offer refused. Herald Cycle Co., 114 Nassau at

JANUARY 1.

This Stock will be Sold on the first floor of the

FOR EVERY MAN. ONLY \$1.

THE MOST EMINENT SPECIALIST IS ALMANAC and AMERICA.
Established in 1800. Children constituting pre

ENCYCLOPEDIA Forty zine-lined boxes, about two and Maccrobie Found His Throat in Street Invalidation of the prize easily and the prize easily part of the prize easily and the prize easily and the prize easily and the prize easily part of the part of the prize easily part of the prize easily part of the prize easily part of the par

TO-DAY,

PAIR OF HALF HOSE, PAIR OF SUSPENDS TREATS OF 1,400 TOPICS.

Suits, \$8.00. Overcoats, \$9.90. ANNUAL.

London@Liverpool, 86 @ 88 Bowery, cor. Hester St. OPEN EVENINGS.

NOT A LEGAL ARREST.

International Complications Raised in the Case of the Seigls.

Cannot Rearrest a Foreign Prisoner in a Federal Building.

Lawyers Will Try to Return Two Clever Vienna Swindlers.

was ventilated this afternoon in the ex-Court Commissioner Alexander of Julius the guise of bankers, it is alleged, they victimized a number of Viennese bankers and capitalists out of over \$100,000 through forged acceptances and indorse

The brothers fled to America, but were arrested on Sept. 7 as they were about to land. At first they waived examinaamination.

The hospital report describes Maccrobic as suffering from a fractured extradition. A number of depositions of skull. The doctors say he will probably victims of the Siegls were received a victims of the Siegis were received a Slang Words Which Mean Volume Sursoum and Abushcara have made a lated, the present examination was set. In Property Is Secured.

By articles of agreement filed in the United States Circuit Court to-day the city of New York is just \$100,000 richer. On behalf of the Mayor, Aldermen and On behalf of the Mayor, Aldermen and Course Carporation Coursel Clark.

Barsoum and Abushcara have made a counter charge against Maccrobie to the fact that the silver watch cases found under his pillow were stolen from their store. They claim they went to his form a property of the Austrian Government, amended the complaint course the property, but do not explain the assault.

His Pardon Seems Mysterious.

ALBANY, Dec. 22—George Dillon shot and hilled Julia Lyons on Jan. 2. 1889, He was sentenced to Dannemora Prisen for life, but on March 18, 1981, Gov. Flower communed this sentence is gisteen years. Vesterday he arrived before a five man. There is no record of further parden and attempts to learn less he seared within the building.

Said to Have Embezzled S30,000.

CHICAGO, Dec. 22—Robert Posten, formerly a confidential employee of the pasting firm of the decutters arrested and proceed the arrest within the decutters arrested and brought the Slegis to the Marchala's office. When the Slegis to the Marchala's office, when the decutters arrested and brought the Slegis to the Marchala's office. When the Slegis to the Marchala's office, when the decutters arrested and brought the Slegis to the Marchala's office. When the Slegis of the Slegis of the search of the Slegis of the Slegis of the search of the World at large the nucleus for a new and up-to-date dictionary.

Studious people, who are not great the the best model of the world at large the nucleus for a new and up-to-date dic

Schaefer Special Holiday Brew

GOUT. WATER

CLOTHING

spot cash elsewhere.

Overcoats and Suits.

MEN'S Long Overconts. \$10 to \$30 Paddack Cents 820 to \$80 Tweed Suits. \$10 to \$20 Scotch Cheviot Suits 812 to \$20 Diagonal Cutaway Suits 815 to 885 Prince Albert Suits .818 to 828 BOYS' Suits and Overconts ... 83 to \$10 Children's Suits..... 82.50 to 87

Ladies' Cloaks.

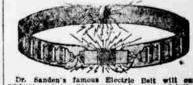
Jackets, Wraps, Long Conts, Reefers, Fur Capes, Genuine Alaska Scalakis Conts and Jackets.

Custom Department.

Men's Suits and Overcoats made to order or credit, in latest fashion, fittest pessible in fit, abric and finish, from an enormous stock of imported and domestic woollens of the most stylish shades and mixtures. Suita. 850. Overconts, \$18 to \$60. Trousers, S4 to S10.

Gold and Silver Watches and Chains on Credit. Gents' Full Dress Suits to Hire.

Weekly or Monthly Payments. OPEN UNTIL 10.30 TO-NIGHT.



& SILVERWARE. Extra Assortment

Dr. Sanden's, 826 Broadway, N. Y.,

For Sale.

CLOTHING Men's, Youth's and Boye CLOTHING FINE CLOTHING, ready made orthogolar Lating and Misser Wraps, Jarkets, Capes and Boils, in the lating styles and designs, or any weedly and

SEWING MACHINES.

Committee have succeeded in convinc-

MONEY Any amount on farmiture or say colinteral, No removal, Mercantile Loan & Guarnaty Co., 57 Nassatt, cor. Fulton, Rooms 709-710.

Millinery and Dressmaking. paper) North teinmed bundles of paper siven sEAL GARMENTS reduced and altered into fast-ionable cames. Erro tackets. Mrs. BARKER, Trinking Joint Where the gry can buy a 116 West Dish at most Broadway; late with C. C. Trinking Sol call takes, or in Joh 10th. A marker of west Broadway; late with C. C. Gouther's Sol a worker of west but a parker of granter of the control of the co

THESE PLACES FREE TO-DAY.

ZANGHERI Tuois d'Hôte. IT East 221 st. Dinner 1.00. Lacuding wine, ground floor, 75 cents.

"Hit. PERKELEV ORUIESTICA will reduce Saturday and Squalay evenings. Private rooms for small or large parties. GLAD HAND—The act of shaking hands with a strength of the bound of the country of

REV. GEO. PRANCIS TRAIN, 8 Union Square Hall near lith. Sundays, 10 A M. "Hell Be Damned."

the defendants are childed to its use the following erected as the following and to the buildings erected as sufficient and to the buildings erected as commenced in the State Supreme Court in 1889 and later was transferred to the United State Supreme Court in 1889 and later was transferred to the United State Supreme Court in 1889 and later was transferred to the United State Supreme Court in 1889 and state Courts.

Ammann School Christmas Reception
The weeded animal Christmas reception was a commenced the state of the